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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHANNON SOMEE,

Defendant.

Case No.: 2:18-cr-00378-APG-VCF

**Stipulation Requesting an
Amendment to the Court's
Order for a Psychiatric or
Psychological Examination of
Defendant [ECF No. 94]**

ORDER

The parties, by and through the undersigned, respectfully request that the Court amend its Order granting Government's motion for a psychiatric or psychological examination of the defendant (ECF No. 94) to the extent that the Order permits a private medical health provider retained by the Government to complete the examination of the defendant.

On February 14, 2020, this Court granted the Government's motion for a psychiatric or psychological examination of the defendant under Fed. R. Crim. P. 12.2(c)(1)(B). *Id.* At the time of the Government's motion, the Government believed that the Bureau of Prisons (BOP) would conduct the examination at a federal medical center.

On April 7, 2020, a representative of BOP informed the Government of its final decision that the BOP would not perform the examination. BOP explained that it is their current policy

1 that they are authorized conduct pretrial psychiatric or psychological examinations only when
2 ordered to do so under 18 U.S.C. §§ 4241 and 4242.

3 In connection with this Stipulation, the Government filed a separate motion to continue
4 the trial, ECF No. 97, currently scheduled for June 15, 2020, to a date in August 2020. The
5 Government submitted the motion to continue, in part, because of the limitations imposed to
6 stop the spread of COVID-19 makes it so no private mental health provider is currently able to
7 conduct the necessary examination of the defendant.

8 Therefore, the parties request this Court amend its Order:

- 9 1. to allow a private medical provider retained by the Government to complete
10 the examination of the defendant; and
11 2. to allow the Government to provide a copy of Dr. Sunshine Collins' report to
12 the examiner with notice that the information shall remain confidential and
13 be used only for purposes of the examination.

14 Counsel for the defendant hereby stipulates to the above proposed amendments to the
15 Order. The defendant agrees to this stipulation.

16 Dated: April 27, 2020

17 NICHOLAS A. TRUTANICH
18 United States Attorney

19 /s/ Christopher Lin
20 CHRISTOPHER LIN
21 Assistant United States Attorney

22 /s/ Sunethra Muralidhara
23 Sunetra Muralidhara, Esq.
24 Counsel for Defendant

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Order

Based on the pending Stipulation of counsels, and good cause appearing therefore, the Court amends its Order dated February 14, 2020 (ECF No. 94):

1. to allow a private medical provider retained by the Government to complete the psychological or psychiatric examination of the defendant; and
2. to allow the Government to provide a copy of Dr. Sunshine Collins' report to the examiner with notice that the information shall remain confidential and be used only for purposes of the examination.

Dated: April 27, 2020.


HONORABLE ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE